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The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna-96"



Re-registration is prohibition...

In all the countries of the former Soviet Union with the exception maybe of Baltic states the word «opposition» till today has been the synonym of the word «enemy». It has been so even regardless of the fact who is in power: neo-communists or former communists. It should be perceived as one's past or rudiment of the Soviet times when the «unanimity» of the view points dominated other «wrong approaches». The reason of a negative attitude towards the enemy is quite understandable and has long been predetermined: if he does not yield he is wipe out... That's why to understand the gospel truth, which says «there is enough place for all on the Earth» is beyond our mind...

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Chronicle

On January 23, **in Barysaw (Minsk region) in the central square of the town there was held an unauthorised picketing against Belarus's incorporation into Russian Federation. Picketing was conducted by local organisations of the Belarusan Popular Front and Belarusan Social-Democratic Party «Narodnaya Gramada». Protesting people held national white-red-white flags and slogans written in English as follows: «I love Belarus!» and «Hands off! From Belarus!» Alexander Abramovich – head of the local branch of the BSDG – and one of the picket' organisers, was brought to the local Department of Internal Affairs. Where he was drawn up a report for breaking the Art. 167 (about breaking an order of marches and rallies' conducting) of the Administrative Code of the Republic of Belarus.**

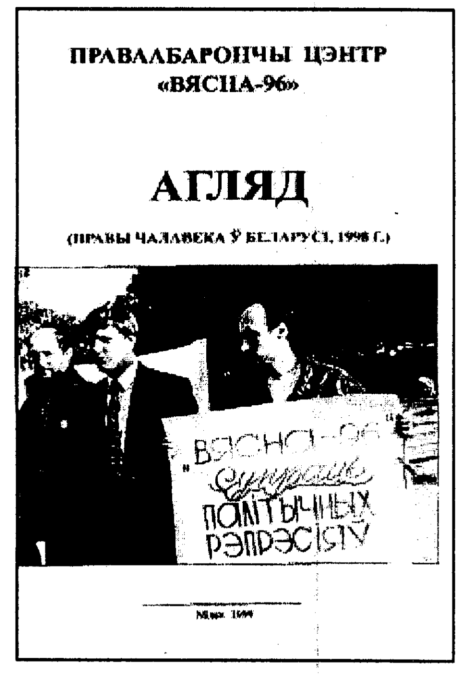
On January 23, **in Pinsk (Brest region) there took place a protest against Belarus's incorporation into Russian Federation. Permission by the Town Executive Committee was received just two days later. On 26 January, a worker Yuras Salavey was called to the local police station. A report was drawn up about the breaking of a decision made by the Town Executive Committee. Then Y.Salavey was brought to the town court. The judge Leshchanka announced a verdict: a 15 dayterm of imprisonment or a fine from 100 minimum salaries up to 250 minimum ones.**

On January 26, **Lukashenka signed a decree No. 2. About certain measures on regulation of work of political parties, trade unions and other public organisations. By this decree he introduced binding re-registration of public organisations. In conformity with this decree from February, 1 to June 1, 1999 the re-registration of political parties, public organisations, trade unions and its symbols.**

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Human rights violations chronicle

On February 4, the human rights Centre «Viasna-96» presented its first annual review titled «Human rights in Belarus, 1998».



«Viasna-96» is one of the youngest human rights organisations in Belarus. It was set up in April 1996 on the wave of actions of mass protest against an establishment of dictatorship and totalitarian regime in Belarus. «Viasna-96» is aiming to render assistance to the victims of political repressions, to provide them with material help in the places of their imprisonment (food, medicine, vitamins etc.) and to give moral and material help if it is necessary to the families of prisoners of conscience which are considered to be its principle goals. For the short period of time «Viasna-96» has become one of the most outstanding and influential human rights organisations in Belarus dealing with very essential matters today – passing medicine and nutrition products to the political victims, as it was mentioned above, giving moral and material help to the families of the prisoners of conscience , giving consultative help to the people who are instituted proceedings against and delivering lectures in the field of human rights to the Belarusan citizens. Numerous guests invited to the presentation of the first annual review («Human rights in Belarus, 1998») emphasised an important role the organisation had played. The review consists of 18 sections and every one tells us about numerous human rights violations in the country carried out by Belarusan authorities. In essence it was a kind of teamwork of the whole organisation. That is why there were a lot of thanks to the people working for «Vyasna-96».



Wives of imprisoned deputies Tatsiana and Zoya at the presentation of «Review».

The party was opened by an introductory speech made by the «Vyasna-96» chairman Ales Byalatsky, who told briefly the guests about the history and activity of the Centre «Vyasna-96». Then the guests of presentation made their speeches, they were mainly the main characters (heroes) of the «Review»: deputy chairman of the Belarusan Popular Front Yury Khadyka, the deputy of the 13[th] Supreme Soviet Valery Shchukin, former member of the Constitutional Court of the Republic of Belarus Mikhail Pastukhow, teacher Leanarda Mukhina, the wives of the imprisoned deputies Tatsiana Klimava and Zoya Kudzinava, lawyer-human rights activist Nadzeya Dudarava and others. Acting chairman of the BPF Lyavon Barshchewsky not avoiding big words called the. The business run by the staff of the Human Rights centre «Vyasna-96». The «citizen's teat exploit». According to L. Barshchewsky, who said: «the best people of Belarus find themselves behind bars, are imposed an excessive tines. Among them are writer, journalists, film directors, musicians, students... they are need for help. And «Vyasna-96» using all possible means gives help to him. The time will go by and the regime of that I am perfectly sure, pass away in non-existence. But no democracy even that considered to be an perfect one can guarantee and provide human rights in full. That is why the work of human rights organisations of this kind, it's a pity, will be forever... »

Foreign diplomats also were present at presentation: Deputy Head of Mission of the British Embassy to Minsk Mark Pethick and Adviser to the Czech Embassy Karel Kharanda.

Our correspondent

Re-registration is prohibition...

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The President's decree «About certain measures on regulation of work of political parties, trade unions and other public organisations» is evidence of it. The barefaced desire to get rid of political opponents is clearly seen. The acquaintance with this «document» confirms an opinion, that is has been created not so much for registration (re-registration) of political parties and associations as for their prohibition. Comparing to the previous document of this kind all the changes introduced in new one are aiming at prohibition. Firstly, the minimum quantity number of political parties members to be registered has been double. Secondly, aside from names and surnames in the lists of party' members their home addresses and places of work should be put down. Not less than 10 per cent of workers of an enterprise should be the members of a trade union where it is set up.

In the text of President's decree there are a lot of reefs and undercurrents. For example, nobody knows what the registration of party's symbols was invented for and what does it mean? However it is understood organisations which have in its symbols combination of white-red-white colours (national colours) will face many problems.

Leader of Belarusan political parties immediately called this decree to be a «Draconian». They also painted out that this decree is roughly breaking not only the Article 20 of the Universal Declaration of Human Rights and the Article 22 of the International Covenant on Civil and Political Rights but the Article 36 of the Constitution of the Republic of Belarus which state that «every human being has the right to peaceful assembly and association». The President' intention became more understandable after announcement about setting up a commission entitled to pass a decision whether the political party, trade union or public organisation can be re-registered or not. The personal staff of this commission provoke special curiosity. The commission's appearance itself is illegitimate. Under current legislation the Ministry of Justice is entitles to deal with registration of political parties and associations.

In Belarus as we can see, the structure, which will dictate to the Ministry of Justice what kind of decision to take has been created. And prohibited parties can not appeal against this «advice» (this «decision» can not be called otherwise) in any place...

Vice-premier Uladzimir Zamyatalin, a former fighter against democracy and Belarusan culture, headed this commission. The representatives of all force structures with the exception of representative of the Ministry of Justice got on in a staff of commission. To think that this commission will be objective is like for...

Re-registration began on the February, 1 and will last till the June, 1. The opposition parties don't hurry to participate in the re-registration process. The hot spring and the 16 of May (the day of presidential elections) are going to be before the 1 of June will come. That's why there is a hope that there won't be a necessity to waive one's principles.

Andrey NALIVA

BARYS GUNTER

«OUR ELECTIONS WILL HAVE A LOGICAL ENDING»

An interview of «Right for freedom» journalist with a deputy of the 12th Supreme Soviet, secretary of Central Commission on presidential elections in the Republic of Belarus, Barys GUNTER.



Barys GUNTER

— Mr. Gunter, presidential elections in Belarus under the Commission of 1994 are to be held on May, 16. Will you tell me what is the reason for that?

— The deputies of the 13th Supreme Soviet, who remained to be faithful to the Constitution of 1994, took a state duty fulfil the functions of the 13th Supreme Soviet up to the end. By the way, they managed to do it without any violations of legislation. They have a right to make such decisions. In summer the legitimate time of the President is coming to an end. That's why the deputies of the 13th Supreme Soviet did their duty – appointed the elections on May, 16 and they also chose and confirm the staff of the Central Election Commission. Now this Central Commission has a sacred duty – to organise and to hold elections and as to our society – we are all to come on May, 16 to vote.

— Minister of Justice when speaking on TV said that the election campaign, started by the opposition is against the law?

— Minister may have his own opinion. The Supreme Soviet has fulfilled. Its constitutional duty, the Central Election Commission is working, is making up local commissions and has its aim and does everything its possible to hold elections on May 16. And if the authorities don't interfere, we will hold the elections under the laws and Constitution of the Republic of Belarus, under which a 5-year time that is the period of time of our current president is coming an end. As to his decision to extend his power with the help of the referendum of 1996, it hasn't been recognised by the world community yet. The results of that questionnaire might have been considered as recommendations. They were to have been re-worked by the 13th Supreme Soviet. They were adopted as legislative acts by force and that's why they are illegal. And we believe that every conscientious citizen must come to elections on May, 16 and express his will. Why? Because a lot of people «were mistaken» in Lukashenka. I meet very often with the people who voted for him and today they are indignant at what is going on in the country. They are for elections, they ready to come and to vote to correct their mistake. Why not give them such an opportunity? Minister of Justice surely act under Lukashenka's order: his aim is to frighten the opposition and prevent from organising elections. As to us, we are not against nominating Lukashenka for these elections and struggling equally with a former Prime Minister, Michail Chygir with Genadz Karpenka, with a communist Kalyakin. All the scope of politicians may be represented among the candidates.

— I am holding in my hands an application of a member of the Central Election Commission, Genadz Samoylenka who was delivering the documents of the Central Election Commission in Brest region. He affirms that the local authorities aspire to disrupt the elections...

— No wonder: the people from the «vertical» are the people who are appointed by Lukashenka and they are loyal to him. They have high positions nowadays only thanks to President Lukashenka and that's why their first duty is to do harm to legal interests of our citizens. In case Lukashenka loses his post, they will follow him. They defend their skins and nothing more. But among the bureaucrats there are clever, honest people who will help us. Without paying attention to the fact that nowadays there is as decree to delay the elections, to profane the 13th Supreme Soviet, the Central Election Commission and those people who will come to vote.

— I wonder if it's possible that under the authorities' order, local official may disrupt the elections and they wouldn't take place?

— You know a saying: A people's voice – is God's voice». Nowadays in spite of all obstacles from the Presidential Administration, local authorities, district authorities and village Soviets all over the country there are regional election commissions and not a single regime irrespective of its power, can stop people. It's possible only in one case: when the authorities arrest all the members of election commissions, deputies of the 13th Supreme Soviet, leaders of the opposition movements and parties. Only in this case they will be able to disrupt the elections.

— Will you tell me, do you believe that a presidential decree to re-register parties and public organisations is somehow connected with the election campaign?

— The democratic forces as well as the 13th Supreme Soviet with their decision have forestalled the President. The re-registration will take place from February, 1 to July, 1 and the elections will be held in May. That's why the parties which exist today, work in accordance with legislation and will participate in elections on a legal ground, without paying attention to this decree. The aim of the decree are obvious. The President would like to get rid of the opposition parties in order to be a sovereign dictator. In this connection it's clear why the membership in parties movement has been risen up, why it's necessary to give complete information on every member: name, post, residency. They start to gather total information on the opposition-oriented people. Maybe to install a certain repressions afterwards? Or simply to frighten people.

— Will you describe the procedure of elections?

— The way of conducting elections is still at work. The most important thing is to make commissions which will be responsible for pure technical results. We clearly understand that we will have some difficulties. We are getting ready for them. The fly-wheel has started to spin and it's impossible to stop it. People are dissatisfied with political and economic situation in the country. People should have a possibility to make a choice, to tell his will: I want to live in a normal , independent, nice country, bur not in this constant instability, in this bog... That's why I'm sure: in any case our elections will have a logical ending.

Interviewed by Mikola KACHAN

Human rights are before all

The Congress of Belarusan Democrats took place in Minsk





Human rights were one of the main problems, discussed by the participants of the Congress. It is naturally that among guests of the congress there were a lot of human rights activists – representatives of Russia, Lithuania, France, the USA and mission of the OSCE in Belarus as well.

«The fundamental freedom and respect for human rights are considered to be the supreme values and in this connection every power which does not respect human rights and fundamental freedom can not be considered democratic one» – said in the resolution adopted by the Congress «About human rights violations in Belarus». Having issued this document Belarusan democrats has shown once more that Belarusan citizens «are deprived of the right to take part in government and to equal access to public service» as well as to receive objective information and freely express their opinions. Belarusan authorities are limiting the right to hold peaceful assembly and associations. The Congress participants stressed that in nowadays Belarus there are no independent courts. They put in a claim to stop political pursuits and release from the prisons all the people who were jailed for their view points differed from the official one. The most famous among them are Alyaksey Shydlowsky - a member of the «Youth Front», the 13[th] Supreme Soviet delegates Uladzimir Kudzinaw and Andrey Klimaw and one of the leaders of Vitsebsk oblast Uladzimir Pleshchanka. One more claim was also put in to conduct unbiased and objective re-consideration of cases instituted against ex-head of the National Bank Tamara Vinnikava, former Minister of Agriculture Vasil Lyavonaw and well-known chairman of the collective farm «Rassvet» Vasil Staravoitaw.

Special attention of the Congress participants was drown by the state of Belarusan language in the country. Special resolution under the title «About the discrimination of Belarusan language in the Republic of Belarus» was passed in this connection. Belarusan democrats established a fact: in Belarus Belarusan language classes, schools, broadcasting stations, newspapers are closed down. The works of outstanding Belarusan writers are eliminated from the curriculum of different educational establishments, the publication of Belarusan books has been reduced. «In the Republic of Belarus the right of indigenous population to use and freely develop its native language and culture are violated» — said in the resolution. Belarusan democrats expect from the authorities «to stop purposeful pressure of Belarusan language and culture» hoping for solidarity and moral support of international community.

The right to speak native language is closely connected with the right of the people to have its own state. The situation which has been created recently in Belarus made Belarusan democrats issue joint document «About the threat to the statehood and sovereignty of the Republic of Belarus». Democrats intend to «fight for independence, statehood and sovereignty of the country, to resist to Belarus' annexation using all accessible means». According to Belarusan democrats the treaty signed by Presidents Yeltsin and Lukashenka on 25 December 1998 is nothing like «anti-constitutional pact». It was also pointed out that this «pact» is breaking not only the Constitution but the ancient traditions of Belarusan statehood.

In essence each of the numerous resolutions passed by the Congress primarily deals with human rights even though it touches upon economic and political issues. In spite of the fact that the scope of human rights violations is rather wide all of them have one and the same reason. For instance, during the mass hunger-strike actions against poverty a man can be detained by the policemen just for speaking Belarusan language which is the «opposition» language to the authorities. Then he or she will be brought to the nearest police-station where he'll be forced to speak Russian and at last after court sitting he'll Be brought a verdict: five-ten days in administrative detention...Having united Belarusan opposition assumed responsibility to protect every human-being against any violation of his or her rights: beginning with the right to an adequate standard of living and ending with the right of politicians to address the public through the life programmes on TV. The situation with human rights in nowadays Belarus can not be changed without political changes. As long as the dictatorship does exist all the spheres of life will be influenced by lawlessness and arbitrariness of Belarusan authorities.

Tatsiana SNITKO

Where are you, Justice?

Uladzimir Ivanavich Kryvitsky, a citizen of Barysaw, driven to despair, turned for help to the Human Rights Centre «Viasna-96»He has been applying to different legal institutions, even to the Supreme Court for three years, but all in vain.

Having faced such a reality, Uladzimir Kryvitsky came to a conclusion that for common mortal man in our country it seems almost impossible to protect his rights.

Currently he simply can't struggle with the existing law-making and illegal decision on the action against the defendant – joint stock venture «Budkomplex»? The thing is that on 23 January 1996 on the motorway Barysaw-Minsk there was a car accident. A driver working for joint stock venture «Budkomplex» A.Khadkevich riding a «MAZ» broke the traffic rules – he drove on the opposite line, where he crushed into «Zhyguly» (Lada) in which Kryvitsky was a driver. As a result Kryvitsky's son - Uladzimir- died. His grandson - Mikita - broke an arm and had a concussion of brains, as to Kryvitsky himself, he was taken to hospital with serious injuries where he spent 9 days «unconsciously – the boundary between life and death. After that he had to spent 4 and a half months lying without any movements, and 3 and a half months later he got a second group of disablement. An action was brought on this fact and the Barysaw District Court examined the case on 14 May, 1998 at the open court sitting it brought a verdict: «A.Khadkevich was found guilty and was given a 3-year suspended sentence, without banning a driven license. U.I.Kryvitsky and M.U.Kryvitsky

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LANGUAGE IS BANNED

The state things, with which our readers will get to know, will seem unnatural to some of them, not true-to-life or even invented. But in the current Belarus unfortunately a common thing.

Everything started with the fact the electro-mechanic from a state enterprise «Belenergonavigation» Uladzimir Plaksa wrote a letter to the attention of the head to give him some aid. He wrote in Belarusan.

Uladzimir has been writing and speaking Belarusan for 6 years on principle and this decision is quite logical. His direct chairman Mickalay Ivaniushchanka carried a resolution: Dear Plaksa re-write it in Russian. Maybe, Mickalay Stsyapanavich thought that his subordinate tried to threaten his authority in such a way or anything else – nobody knows.

Later the events developed quickly. In 1997 deputy director of «Belairnavigation» Yu.Kladaw prohibited Plaksa at the staff-meeting to have operative talks and technical documentation in Belarusan language. Later M.Ivaniushchanka refused to sign an application for financed support because it was written in Belarusan language.

Last year the case repeated: the application, written in Belarusan was refused again. After that Plaksa turned to the chairman of «Belairnavigation» I.Shymanets and asked him to consider the acts of Kladaw and Ivaniushchanka. The secretary accepted his application but she did not register it saying «that it is not necessary to register internal papers». Uladzimir went to the secretary three times – she was as hard as rock.

Plaksa turned to the commission on working disputes. At least there was certain result: first the paper was lost, then Uladzimir was refused to consider the conflict as there were no misunderstandings between the employer and employee (Kladaw and Ivaniushchanka are not employers).

At last on May 24, 1998, Plaksa got a temporary victory: M.Ivaniushchanka allowed him to write both in Russian and Belarusan languages. But only applications for material aid, to be exact.

Last year in June Uladzimir called the secretary again, reminded her of his problems and warned that he was going to apply to the prosecutor's office. Uladzimir Plaksa was allowed to enter the chairman's study. I.Shymanets and his deputy Yu.Kladaw explained to Uladzimir that Belarus is a member of the ICAO (International Civil Aviation Organisation) and that its official languages are English, Spanish, French and Russian. That is why, Uladzimir has to use Russian (why not English, French or Spanish, which would seen quite logical, the authorities did not explain). Uladzimir was recommended to speak Belarusan in the smoking-room or in the lavatory. In this way they pointed out the place of the Belarusan language in the Belarusan aviation. In case Plaksa does not follow the advice of his older comrades, he was promised to find another place of work. At the end of the talk Mr. Shymanets asked Kladaw to make a list of the people who are dissatisfied with Plaksa speaking Belarusan.

After that Plaksa applied to the prosecutor's office.

In the Minsk transport prosecutor's office a senior judicial counsellor A.Grygoriew was responsible for Plaksa's application. He referred to the international norms of the ICAO art.28, 37 of the Chicago Convention on international civil aviation, under which Belarus is obliged to provide aircrafts and to guarantee flight safety.



«Bilingual» Belarusan

«Taking into consideration all the facts, mentioned about» – wrote in his reply Mr. Grygoriew – the demands of administration of the state-run enterprise «Belairnavigation» to use Russian in technical documentation and everyday talks have grounds».

Later Uladzimir turned to the Belarusan Republican transport prosecutor's office. As we may judge from the deputy of Belarusan transport prosecutor's reply the positive change was seen: «The demands of the head, Mr. Ivaniushchanka to re-write Plaksa's application in Russian instead of Belarusan are against the constitution which guarantees the equality of both languages. But there are not enough reasons for prosecutor's interference. And Plaksa writes to the General prosecutor's office of the Republic of Belarus.

His wife, Volga, joined her husband. She appealed to the head of her husband to explain the language problem. Ivan Uladzimiravich Shymanets did it, had apologised for deeds of his subordinates.

As to the language, the head referred to the Constitution (with alterations and adjustments, adopted earlier), to the law of the Republic of Belarus on languages in the Republic of Belarus of 1990 as well familiar norms of ICAO. Ivan Uladzimiravich cited the following arguments: all the countries in the CIS train aviation experts in Russian language, all terminology is in Russian too. Appliance of Belarusan may lead to mistakes and finally to the infringement of the plane's flights.

This is, of course, important but Plaksa doesn't participate in flights management and doesn't talk to the crew. One may pose a rhetoric question: what language do Germans Poles and Ukrainians use when talking each other or write applications. Is it Russian?

But we have a law on languages, adopted in 1990, in fact there were several changes and adjustments in 1998. Nevertheless, art. 9 says «Technical or projects documents in the Republic of Belarus is done in Belarusan or Russian, and in accordance with the aim in any other. Note: in Belarusan and in Russian.

Uladzimir Plaksa, while defending his right, decided to go in official way. Many of them did the same. The result was quite similar. I mean, there wasn't any result at all.

The Constitutional Court got interested in it. Once Plaksa got a reply from the head of the CC. «You have discussed one of the most important questions and the Constitutional Court made an offer to the head of the House of Representatives of the National Assembly of the Republic of Belarus (Mr. Malafeew) to install measures of administrative responsibility for violation of the mentioned law. So if you break the language legislation nobody will take responsibility.

After that, to tell the truth, the Belarusan transport prosecutor's office became alive. It warned Kladaw and Ivaniushchanka against violation of the law on languages and they made an early reply. In the state on aviation everybody got worried too. Deputy head U.Yermakow assured that the use of Russian in transport is not actually against the law on languages. Maybe, Belarusan as well.

And that's all. Not yet. Uladzimir Plaksa appealed to the Kastrychnitsky Court with a lawsuit. He wanted his immediate heads Kladaw and Ivaniushchanka apologised him and they paid compensation for financial aid.

The court didn't accept the Plaksa's application. Uladzimir Plaksa is in thoughts: maybe I should send an application to the temporal commission on Human Rights of the UNO?

Andrey SYARZHAN

Events Facts Comments

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On January 26, The Supreme Court of the Republic of Belarus refused to satisfy a complaint lodged by the Belarusan Student trade union «Solidarity». The address to the Supreme Court was caused by refusal of the Ministry of Justice of the Republic of Belarus to register student trade union. According to Yuras Gubarevich, a representative of the initiative group of the trade union «Solidarity». The next step will be «appealing against this decision in a proper way». A complaint will be addressed to the General Prosecution office of the Republic of Belarus.

On January 29 – 30, in Minsk the Congress of Democratic Forces of Belarus took place. The Congress passed a resolution «About the human rights violations in Belarus». «Congress considers to be inadmissible the prosecution for political view points and demands to release all the political prisoners of conscience, including Alyaksey Shydlowsky, Uladimir Kudzinaw, Andrey Klimaw, Uladzimir Pleshchanka and demands to conduct on unbiased consideration of Tamara Vinnikava, Vasil Lyavonaw and Vasil Staravoytaw' cases», - said in resolution adopted by the Congress.

On February 1, at the closed sitting of the Kirawsky district court in Minsk there was read a conclusion of medical commission, which during a week examined the state of health of ex-chairman of the closed joint-venture «Rassvet» – Vasil Staravoytaw. There was a difference of opinion of experts. According to a conclusion made by psychiatrist Valery Budanaw V. Staravoytaw in conformity with his mental state could not have been jailed. But the Budanaw's conclusion did not get on in the conclusion made by the commission of experts.

On February 2, the Belarusan Helsinky Committee (BHC) made a statement where it demanded to disaffirm immediately the decree «About certain measures on regulation of work of political parties, trade unions and other public organisations» signed on January, 26. «President's decree is rudely breaking the Article 22 of the International Covenant on Civil and Political Rights, Article 36 of the Constitution of the Republic of Belarus, which guarantee the Belarusan citizen freedom of association, participation in public affairs and election», - said in the statement.



Picketing in Baranavichy held on 23 January 1999

On February 2, in Minsk Central Court there took place court hearings on case of Vadzim Kanapatsky, an activist of «Youth Front». He was charged with breaking the article 167 part 2 of the Administrative Offences Code of the Republic of Belarus (utilisation of unregistered symbols). This Article provides for administrative amenability raging from warning and tines of different rates to 15 day-term of administrative detention. V.Kanapatsky was detained on 31 January while taking part in opposition action in support of the Congress of democratic Forces. During the meeting held on the Square of Paryzhskaya Kamuna. V.Kanapatsky stood with the flag of «Youth Front» in his hand. Against the white back ground of the flag there was a red cross and a shield with the six-pointed cross on it. Policemen, who detained V.Kanapatsky drew up a report and gave him a sub-poena to appear at a stated time to the court on February, 1. But on February, 1 trial did not take place because of policemen wish to be thoroughly prepared to the lawsuit. They addressed to the Ministry of Justice to clarity. «Whether this flag was registered or not». On February, two court hearings took place. The representative of the Human Rights Centre «Vyasna-96», Valyantsin Stefanovich was a public defender of V.Kanapatsky during legal proceedings. The judge Anatol Barysionak as a result of legal proceedings brought in a verdict: a minimum administrative punishment, which is the warning in February 1999 (according to the provisions of the Constitution of the Republic of Belarus adopted in 1994 The representatives of the Central Electoral Commission (CEC) on the instructions of Victar Ganchar began delivering to the cities and district centres of Belarus papers dealing directly with holding of presidential elections scheduled on May 16, 1999. Genadz Samoylenka, a member of the CEC in Brest oblast, dealt with distribution of papers.

According to G.Samoylenka in majority of districts and cities of Belarus people relate with understanding to presidential elections to come. During talks with people a negative attitude towards politics run by president Lukashenka can be heard. People consider presidential elections to be held by the date fixed. But among the officials of Brest oblast are also those (on the whole they are so-called «verticalshchiky» appointed by Lukashenka), whose aim is to break the elections initiated by the 13[th] Supreme Soviet. According to Mr. Samoylenka he was strictly met by chairman of the Malatarsky District Executive Committee and by Chairman of the Kobryn City Executive Committee. On February, 3, 1999 at 13.25 p.m. Mr. Samoylenka met with chairman of the Brest oblast Executive Committee Mr. Zalamay. In the presence on witnesses Mr. Samoylenka tried to hand over the proper bag with documentation dealing with presidential elections but in vain. The chairman of the oblast Executive Committee refused to take the papers shouting at Mr. Samoylenka: «Get out! Or you became familiar with such things you will regret the rest of your life». Genadz Samoylenka believes against him as representative of the CEC were used «counteraction and threat with possible further continuation».

On February 5, in Minsk near the Victory Square the active of public initiative «Charter-97» Andrey Sannikaw (international co-ordinator of the public initiative «Charter-97»), Zmitser Bandarenka (member of organising committee of «Charter-97») and Aleg Byabenin were beaten by fascists from organisation known as Russian National Unity (RNU). Accidental passer-by – an officer of armed forces – was beaten as well. Andrey Sannikaw was brought to the hospital No. 2. We had bridge of the nose broken as well as some ribs. After A.Byabenin medial examination doctor pointed out on numerous blow-steps.

On February 6, the next in turn congress of the «Youth front» took place. The issue which stood separately on agenda was the attitude forwards the neo-fascist movement Russian National Unity. Since the activity of this organisation, become more active recently the «Youth Front» passed a decision to set off against neo-fascists their own public security system. They planned to set up the teams made up of representatives of the «Youth Front». These teams by appearance of people with fascist swastika and other fascist symbols have to catch them and hand over to police stations. In the most populated areas it is planned to introduce «roster» which would be carried out also by representatives of the «Youth Front» to «deprive the fascists of life space».

On February 8, Aleg Bazhelka – general public prosecutor – held a press-conference. A.Bazhelka stated that the office of public prosecutor of the Republic of Belarus is keeping with internal affairs and particularly with the activity of the Supreme Soviet of the 13[th] session and Central Election Commission under the leadership of Victar Ganchar. The office of public prosecutor finds the activities of the delegates preparing the presidential elec-

tions to be an attempt upon the overthrow of the constitutional order. «If our warning does not have an influence, then the initiators will be imposed a corresponding penalty (upon)», - said general public prosecutor. Valery Shchukin famous journalist and human rights activist, wanted to get to the press-conference but in vain. The policemen refused to let him in the building of the office of public prosecutor. They drew up a report with regard to Valery Shchukin for breaking public order.

On February 8, the leader of the federation of Belarusan trade unions demanded from authorities to review the 26 February, 1999 about state registration re-registration of political parties, trade unions and public organisations.

On February 11, at the cross-roads of the streets Garadsky Val and Nyamyga, not for from the Minsk isolation ward, took place a picket devoted to the first anniversary of imprisonment of Andrey Klimaw – delegate of the 13th Supreme Soviet. He was arrested on 11 February, 1998. The picket was initiated and organised by Andrey Klimaw's wife – Tatsyana Levanovich – together with wife of another prisoner, also the delegate of the 13th Supreme Soviet, Uladzimir Kudzinaw – Zoya Kudzinava. In the picket took part active members of the United Civil Party, representatives of public initiative «Charter-97» and the Human Rights Centre «Vyasna-96» and also friends and relatives of convicts. There was following slogans: «Today they are imprisoned – tomorrow will be you!», «Freedom to A.Klimaw and U.Kudzinaw!»

On February 10, Uladzimir Antonaw addressed to the Human Rights Centre «Vyasna-96» and informed the following: «On February, 9, the Tsnyanka Counsel of the Belarusan Popular Front held a picket on Kamarowsky market of Minsk. Approximately at 14.30 p.m. to place where the picket was held drove up an evacuation car and the policeman tried to evacuate a car which belonged to the chairman of the Tsnyanka Counsel of the BPF Uladzimir Yukho. Mr. Yukho demanded explanation from the policeman. Uladzimir Yukho was explained by policeman that his car was put not in a proper place. But the thing was that Mr. Yukho had always put his car on this place during pickets. And earlier it did not cause any actions from the side of police.

Informational department of «Vyasna-96»

NEO-FASCISTS FELT THEMSELVES FREELY IN MINSK AND STARTED TO BEAT THE PEOPLE WHO DISAGREE WITH THEIR IDEOLOGY

In the centre of Minsk activists of neo-fascists organisation KNU (Russian National Unity) beat Belarusan human rights defenders. It happened at about 10 o'clock in the evening on February, 5 in the Victory square. Enjoying the complete support of the representatives of the militia, the members of fascist organisation «Russian National Unity», were distributing among the citizens the leaflets of their organisation aimed at praising a new Russian order and at arousing ethnic hostility. Minor fascists were in groups of 3 people near the crossing at metro station «Victory square», they behoved rude and aggressive and were waiting for a possibility to start a quarrel.

At that time Andrey Sannikaw (international co-ordinator of public initiative «Charter-97») and Zmitser Bandarenka (a member of organising committee of public initiative Khartia-97) were on their way home. «Charter-97» activists were indignant at imprudent behaviour of minor fascists and were reprimanded. In response to his words, Andrey Sannikaw was hit in the face. Zmitser Bandarenka stood up for his colleague: At that moment about 20 young men ran out of the nearest yard, dressed in camouflage form with bands on their arms with symbols of KNU – a red swastika. Fascists were beating unprotected people in their face with legs. A middle-aged man with a swastika on the sleeve was co-ordinating the activities of neo-fascists, most of whom were minors.

This act of mugging took place with human rights defenders in the centre of Minsk, where there are usually details of militiamen on duty. But at that time there was nobody. People were passing by indifferently. Even a militiamen on duty in metro didn't call the militia and didn't give any help. Only one passer-by – an officer of Armed forces stood up for the human rights defenders. Aleg Byabenin, press-secretary of Khartia-97 who was on his way home as well, also got involved in fighting. Outing the fight, neo-fascists used bad language and were shouting: «Jews! If you want to live, go to ...» A adult with swastika on the sleeve was co-ordinating the youth's activities. Sannikaw had been beaten for 10 hours. The officer who got involved in fighting, was thrown on the pavement and beaten seriously. The sides were not equal. The police, which had been called by the phone, didn't appear. That's why Zmitser Bandarenka ran for help to the Administration of Belarusan Popular Front which is situated nearby in Varvasheni Street as to Aleg Byabenin he rushed to the Academy of Militia, which is situated next to the Administrator of the Front. It should be noticed that militiamen come to non-authorised peaceful pickets against the dictatorship. Several minutes after its beginning when the activists of the National Front and the militiamen appeared on the scene of action, the minor neo-fascists together with their «head» disappeared. Andrey Sannikaw lying in the pool of blood... The young from the Malady Front brought him to the hospital No. 2. He had his bridge of the nose broken, as to Byabenin he had numerous bruises.

These events took place in the centre of Minsk, in several metres' distance from the monument – a symbol of victory over fascism. But as we see the lessons of history are forgotten... Because even the President of our country, which suffered more than others from fascist's atrocities, openly praises Hitler's acts and in the streets people with a swastika beat unprotected people. By the way, in Lukashenka's regime none of neo-fascists has been punished. But meanwhile the young are put into prison because of anti-presidential slogans. The Slogans: «Long live Belarus!» are carefully painted. At the same time in the town from time to time one may noticed anti-Semitic slogan, aimed at arousing ethnic hostility, the authors are left unpunished. And here it is the result of such a policy – in 1999 fascists started openly to beat people who don't agree with ideology in the streets of Belarusan capital.

Informational department of «Viasna-96»

WHERE ARE YOU, JUSTICE?

(continued from p. 4)

have a right to meet their action. The question of exami-ning of actions was immedia-tely transferred to the public law-making».

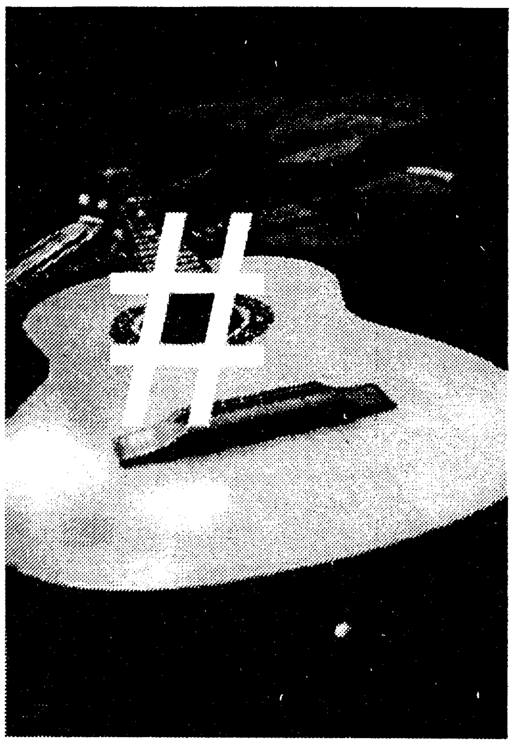
Three years passed from that time, but Uladzimir Kryvitsky has not managed to satisfy his action. He had to appeal to various legal institutions, numerous court decisions and decrees were adopted. The action was partly satisfied but as to the damaged car, which can not be repaired, is left unfulfilled. «Budkomplex» which was to pay money, refers to a hard economic state.

At the present moment second group invalid, Uladzimir Kryvitsky, who lost son and health while car accident, continues to knock into doors of different court institutions in the pursue of justice. But they don't care for problems and troubles of a common mortal...

Mikola KACHAN

A Trip behind Bars

By Andrey Melnikau



Hardly had my barrister got acquainted with me when he lodged a complaint to the Lenin District Court to change the place of imprisonment. As to my own complaint, it was «undelivered»...

I'd like to point out that some of imprisoned are taken to be questioned in KGB not in the «dog-house» but in the saloon. I believe those, who are the most interesting for investigation. Before me a grey Pole was awarded such an honour. He is involved in the case with Mafia and gives testimony on one of them. The other guy, who was «honoured» is a customs-officer, who was doing time together with S. and V. and who, as they say, gets two «daughters» a month. He shakes hands with the blondes. As Aleg says, whom I met at the closing of the case, ORT operator, Zavadsky, was also taken to the saloon.

Once we travelled in the same «dog-house» together with a Pole from the cell (Sharamet will have also remembered him). We speak Polish a bit. A thin Pole with a beard dressed in the torn jacket can't warm himself because he has been starving for a long rime. I take him hands into mine. It helps next to nothing. The Pole from Krakow is charged with some currency operations. At hearing that I'm a bard, he asks my name. Obviously he has never heard of me.

When the banker left, the people connect their hopes to get – with me. Moreover the barrister assured that it would be possible. Our hopes existed up to the beginning of November when a wife came and told me that it had been impossible to pass – («In any case, you wouldn't have been allowed to»). I have to explain it to my cell-mates and to some extend it's unpleasant (when in prison one must be responsible for his words and keep his promises). My wife confesses that she does everything possible lest my name appear in press – she is beware of my family and me. (you are not Sharamet. In Stolbtsy «Youth front» member were detained. It was reported in press and something has happened to one of their wives. As to friends – they know the truth. Volga Tsyareshchanka went to Minsk and says that everybody laughs: «Melnikaw is a fool, his fault that he found himself in prison»).

«LiM» was the first of Minsk newspapers which reported that I was in prison. Under the heading «Rumours». Then Zmitser Bartosik features it in «Nasha Niva». My wife likes none of them and she tells a lot of offensive things – she is worried that it may do harm to any case. In my opinion, it's all in vain. I'm grateful that at last I had been remembered of and been told about: those who didn't know me, will do it.

At the next interrogation the barrister shows me the newspaper «Svaboda» and there is an article about me in it. It seems that something has already got going. Turach's colleague, the investigator Shchur had heard my songs in Nadzeya Kudreyka's programme. «You turned out to be a famous man?» she says. Even the blond with shocker started to act differently, more politely. On the following evening S. appears in our «house».

When they release ORT operator, Zavadsky, there is a hope: it has started at last. Later they brought the newspaper «Znamya Yunasty» where there is his interview. – All people laugh when he says about «rare pieces of fat in the soup and especially when he writes that after supper all imprisoned go to their cells». S. will have said later that they had hinted Zavadsky and that there was an informer in their «house».

During one of September's walks we heard B. from a single cell when shouting to the neighbouring yard, orders to tell Sharamet not to Mafiosi. In case he does – I will show him Sharametievo». Some days later in the newspaper «Znamya Yunasty» we use a headline: «Sharamet deserves Sheremetievo».

When Sharamet was released it became quieter in the prison. Before that in the evening after the sounding off it was heard outside: «Sharamet, get out! Sharamet! Get out! I listen to those sounds and hope to hear one day «Melnikaw!»

After Sharamet release, Mafiosi gives me a nickname «Sharamet» and joking tries to persuade the guards that this is my real name. A strong and vulgar guard Maria, whom we call between us Mashka or Kabyla (Horse) has been staring at me for about 15 second and finally utters: «It won't make Sharamet of him as well as a ballet-dancer of me». But nevertheless beginning from that time she starts calling me Sharamet. Mashka is vulgar, ill-bred but not deprived of artistic gift. Because every her maxim, irrespective of its meaning, rises up our mood.

During the first weeks in our «house» Mafiosi is telling something non-stop. He says that he was going once together with an old mad, Lukashenka by name. The old man murdered his son. Sharamet will have also remembered this man.

At the beginning of October I had mental tests. They convoy me to the same building where I meet my barrister. 4 psychotherapists in civil didn't respond to my greeting, they didn't introduce themselves, instead of it they ask a lot of questions and study me carefully. I read the results of the tests when getting acquainted with the case. It might the fifth mental conclusion in my life and every time it differs greatly from the previous one. In fact medicine is art.

On October 10, all our «house» is transferred on the third floor. Cell № 56. One can see clearly an opposite building. On the third floor there are great problems with water. Sometimes there isn't it at all. We save it in plastic bottles. Under us there is a cell «three-for». There is always movement there. Several times a day we drink very strong tea. Perhaps that is one of the reasons of a great check-up on my duty. The officer on duty is the «house» the officer are to be on the upper plank-beds for a while. The cops are very brute, but they can't find anything. – They confiscate a liquid soap, plastic bottles, sowing staff...

Two former citizens of the cell «5 – 6» are coming back from the stage. One of them – M. Who can copy different pictures. Mafiosi gives him two Christian brochures and soon he gets two icons. We put them on the wall with help of soap. The icons have been handing for some days, later the cops torn them art. M. makes the new ones and we stick them again. They are there till M. leaves. Then the cop torn them off again.

At one of the walks we got acquainted through the wall with women-prisoners in the neighbouring yard. We are political, they are economical prisoners. They sing for us, I sing for them my «Fairy tail». In the evening we prepare for them a substantial parcel with sweets and cigarettes. I write to them a message, besides the lyrics of the «Fairy tale». We are transferring this parcel almost on the other side of the building on the following morning, on 24[th], all the cell is transferred to «3 – 3». I could not manage to get a reply from economic prisoners.

(to be continued)

(Continuation.
Beginning in №№ 15-26)

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